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Elimination of racism and racial discrimination

Indonesia*, Germany and Turkey: draft resolution

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 52/109 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/26 of 17 April 1998,[1]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the attention given in the Vienna Declaration and Programme of Action[2] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

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* On behalf of the States Members of the United Nations that are members of the Group of 77 and China

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A

[2] A/CONF.157/24 (Part I), chap. III

[3] A/53/269

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Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Reaffirming, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals residing in their territory against racist or xenophobic crimes perpetrated by individuals or groups,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[4] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[6] and in article 5 of the Convention,

Taking note that the reports which the States Parties submit under the International Convention on the Elimination of All Forms of Racial Discrimination contain, *inter alia*, information about the causes of as well as measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Particularly alarmed at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Taking note that the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] and expresses its support for the continuation of his work;

2. *Requests* the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and the specialized agencies in order to further their effectiveness and mutual cooperation;

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[4] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[5] Resolution 2106 A (XX).

[6] Resolution 217 A (III).

3. *Commends* the Committee on the Elimination of Racial Discrimination for its contribution towards the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

4. *Affirms* that acts of racist violence against others stemming from racism do not comprise expressions of opinion but rather offences;

5. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

6. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

7. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

8. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

9. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of, and tolerance and respect for, foreign cultures, peoples and countries;

10. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

11. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

12. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants which are inconsistent with relevant international human rights instruments;

13. *Categorically deplores* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

14. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

15. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

16. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

17. *Urges* all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate, including to examine incidents of contemporary forms of racism and racial discrimination, *inter alia*, against Blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

18. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-fourth session.